UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/217,389	12/21/1998	ONDREJ SUCH	777.154US1	8400

26389   7590   03/14/2003

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER
ZHEN, LI B

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 03/14/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Advisory Action	09/217,389	SUCH, ONDREJ
	Examiner	**Art Unit**	
	Li B. Zhen	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 31 January 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☑ The period for reply expires __5__ months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on ____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: ____.

3. ☐ Applicant's reply has overcome the following rejection(s): ____.

4. ☐ Newly proposed or amended claim(s) ____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☐ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: ____.

   Claim(s) objected to: ____.

   Claim(s) rejected: ____.

   Claim(s) withdrawn from consideration: ____.

8. ☐ The proposed drawing correction filed on ____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). ____.

10. ☒ Other: *see notice of references cited.*

ALVIN OBERLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Continuation of 5. does NOT place the application in condition for allowance because: the applicant's argument that the Lindholm and Brown references are not combinable is not persuasive. Applicant generally argues (p. 3, lines 16 - 22) that the Lindholm and Brown references are not combinable because Brown teaches binding a locking mechanism to an object for the life of the object while Lindholm does not teach binding a locking mechanism to an object for the life of the object. The examiner respectfully disagrees because the Brown reference was provided to teach an alternative method of associating a locking mechanism to an object. The binding between a locking mechanism and an object, whether it is a pointer from an locking mechanism to an object or vice versa, is insignificant to accomplish the method of not binding a locking mechanism to an object for the life of the object; therefore, the proposed modification of Lindholm by Brown does not change the principle operation of Lindholm.

In order to further support the examiner's position, additional references have been provided to show various methods of associating a locking mechanism and an object. U.S. Patent No. 6,374,286 to Gee teaches (column 17, lines 1 - 15; column 19, lines 3 - 40) an object containing a pointer to a lock (object header also contains an OBJ_LCB_Ptr pointer to a Lock Control Block) and a lock containing a pointer to an object (OBJ_Ptr field 904 holds a 32-bit pointer to the object that this lock control block controls, Fig. 9). U.S. Patent No. 6,411,983 to Gallop teaches (column 8, lines 35 - 46; column 13, lines 54 - 67) an object containing a pointer to a lock (object 22 includes a monitor transition element field 23 which stores an address or pointer which references a transition element in the monitor transition vector 30, Fig. 2).